IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2292 of 2005

Between:

1. K.Bala Ram, s/o K.Gopalaiah,
   r/o 3-116, U.P.Agraharam (Vil.) Tirupathi Rural Mandal, Chittoor.
2. M.Sulochanamma, w/o Parmeshwar,
   r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
3. Rajeshwari, w/o Bommalla Reddy,
   r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
4. Ramana Reddy, s/o Rami Reddy,
   r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
5. Eswar Reddy, s/o Chinnam Reddy,
   r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
6. Anand Reddy, s/o Sidhartha Reddy,
   r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
7. Sudhitha, w/o Ravi,
   r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
8. M.Adi Laxmi, w/o Subramanyam,
   r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
9. P.Chittamma, w/o Hari,
   r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
10. P.Narayana, s/o Krishna Reddy,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
11. Muni Laxmi, w/o Hemanth Reddy,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
12. E.Ammullu, w/o Bhaskar,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
13. K.Musi Raju, s/o Laxmaiah,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
14. E.Nagamma, d/o Nagaiah,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
15. S.Raja Pandian, s/o Sami Das,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
16. P.Nagmani, w/o Manohar,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.

17. S.Pyari Maa, w/o Reddy Basa,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
18. T.S.Rajesh, s/o N.R.Sri Ramulu,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
19. B.Geeta Laxmi, w/o Narender,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
20. Sakuntla, w/o Sambaia,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
21. N.Siddamma, w/o Siddaiah,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
22. B.Soubhagyyamma, w/o Krtishna Murthy,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
23. G.Muni Swamy, s/o Venkat Swamy,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
24. V.S.Jaladakshi, w/o Sudhaka,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
25. S.Jyothivathi, w/o Sampath Kumar,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
26. T.S.Andal Tayis, w/o Sridhar,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
27. M.R.Laxmi devi, w/o Srihari,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
28. V.Jayamma, w/o Chinabba,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
29. M.Adi Laxmi, w/o Venkat Subbaiah,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
30. Laxmamma, w/o Chenganna,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
31. K.Gowri, w/o Laxman,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
32. V.Prabhavathi, w/o Subramanyam,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
33. Matamma, w/o Venkatesh,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
34. T.Shankaramma, w/o Mani Revu,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
35. A.Laxmi, w/o Venkatesh,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
36. M.Eshwari, w/o Dora Swamy,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
37. A.Laxmikanta, w/o Seethachalam,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
38. D.Laxmamma, w/o Shankaraiah,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
39. T.Damodaram, s/o Abbaiah,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
40. P.Eshwari, w/o Narayana,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
41. P.Bharathi, w/o Ramchandraiah,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
42. S.Revathi, w/o Ravi,
    r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.
43. R.Pramila, w/o Venkatratnam,

r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.

44. V.Laxmamma, w/o Munuswami,
r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.

45. R.Mangamma, w/o Ganga Reddy,
r/o Vedanthapuram Gram Panchayat Tirupathi Rural, Chittoor District.

... PETITIONERS

AND

1 The District Collector, Chittoor District.
2 The Revenue Divisional Officer, Tirupathi, Chittoor District.
3 The Mandal Revenue Officer, Tirupathi Rural Mandal, Chittoor District.
4 The Sarpanch, Vedanthapuram, Tirupathi, Chittoor District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction one in the nature of writ of mandamus directing the 2nd respondent to consider the 4th respondent's resolution, taking into consideration the recommendation of Chairman Tirupathi Urban Development Authority to grant pattas to the house sites of the petitioners and 100 others in survey No.214 & 215 of Vedanthapuram Gram Panchayat Tirupathi Rural Mandal and consequently direct not to interfere with the peaceful possession of the petitioners.

Counsel for the Petitioners: MR.M.KONDAL RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

The petitioners, who are 45 in number, filed this writ petition, aggrieved by the alleged inaction on the part of the 2nd respondent in considering their request for grant of house site pattas in respect of the land in their occupation to an extent of 3 Acres in Sy.No.214 & 215 of Vedanthapuram Gram Panchayat Tirupathi Rural Mandal.

It is stated that all the petitioners belong to weaker sections and they are eking their livelihood by working as labourers on daily wages and that they have been in possession of small extents of land situated in Sy.No.214 and 215 of Vedanthapuram Gram Panchayat, Tirupathi Rural Mandal, which is classified as Government poramboke. On the basis of a request made by the petitioners for grant of house site pattas in respect of the said land, the 4th respondent Grampanchayat passed a resolution on 24-11-2004 resolving that the land in question is fit for

human habitation and recommended issuance of pattas in favour of the petitioners. Thereafter, petitioners made a representation before respondents 1 to 3 requesting issuance of pattas, however, the same has not been considered so far and in the meanwhile, the officials of respondents 1 to 3 are threatening demolition of the existing houses of the petitioners on the land in question. Hence, this writ petition.

Having regard to the facts and circumstances of the case and having heard the learned Counsel for the petitioners as well as the learned Government Pleader for Revenue appearing for the respondents, without expressing any opinion as to the nature of the land claimed to be in occupation of the petitioners as well as with regard to the entitlement of the petitioners for grant of house site pattas in respect of the said land, the Writ Petition is disposed of with a direction to the respondents 1 to 3 to consider the request of the petitioners for grant of house site pattas in respect of 3 Acres land situated in Sy.No.214 and 215 of Vedanthapuram Grampanchayat, in consultation with the 4th respondent-Grampanchayat as well as Tirupathi Urban Development Authority, Thirupathi and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. In the meanwhile, in case, the petitioners are in possession of the said land as claimed by them, *status quo* obtaining as on today, as to the nature and possession of the same, shall be maintained. No order as to costs.

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G. ROHINI, J

Dated: 11-02-2005

Note: Furnish copy in two days

(B/o)

LSK

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER.

To

1 The District Collector, Chittoor District.
2 The Revenue Divisional Officer, Tirupathi, Chittoor District.
3 The Mandal Revenue Officer, Tirupathi Rural Mandal, Chittoor District.
4 The Sarpanch, Vedanthapuram, Tirupathi, Chittoor District.

5 Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

6 Two C.D. copies.